

Remarks

Reconsideration and allowance of the subject application is respectfully requested. Claims 1, 2, 6 and 8 have been amended. Claims 1 to 9 remain pending in this application. Claim 1 is independent.

In the Official Action, the Examiner has rejected claims 1 and 8 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Examiner is alleging that the specification fails to provide support for the limitation “centerers extending solely from said longitudinal portion” in claim 1 and the limitation “springs” in claim 8. Claims 2 to 9 have been objected to on the basis that they are dependent on rejected independent claim 1. Applicants respectfully submit that the Examiner’s objection is inappropriate.

Although Applicants believe independent claim 1 presented in the response to the previous Official Action is fully supported by the specification and meets the written description requirement, Applicants have made minor amendments to independent claim 1 to clarify the claimed subject matter and remove redundant language. Independent claim 1 now defines a diffuser for a distribution system for use in a pastillation machine comprising an elongate body sized to fit into the bore of the distribution bar. The elongate body has a longitudinal portion between a pair of ends. Centering elements extend outwardly from the elongate body for engaging the bore surface. The centering elements maintain the elongate body generally spaced from the bore surface to permit the flow of fluid around the longitudinal portion of the elongate body. Claim 8 defines the centering elements as springs.

With respect to support for the centering elements recited in independent claim 1, Applicants direct the Examiner to paragraph [43] of the specification, beginning at line 2, where it is stated that “...diffuser 90 is comprised of an elongate body having a **centering device that comprises multiple tabs** 94. Pairs of tabs extend outwardly from opposing edges of the body at regular intervals along the length thereof.” (Emphasis added). Applicants also direct the Examiner to Figure 9 which clearly shows the tabs extending from the sides of the elongate diffuser body.

With respect to support for the springs recited in claim 8, Applicants direct the Examiner to paragraph [48] of the specification, beginning at line 1, where it is stated that "...the centering device of the diffuser is a pair of springs that are coupled to the ends of the diffuser 90." (Emphasis added). As the Examiner will appreciate, the specification clearly provides support for the recited "centering elements extending outwardly from the elongate body". In one embodiment, the centering elements are tabs and in another embodiment, the centering elements are springs.

As the amendments to claims 1, 2, 6 and 8 proposed herein are fairly based on subject matter previously considered by the Examiner, Applicants respectfully submit that these amendments do not raise new issues. Accordingly, Applicants respectfully request that the claim` amendments be entered and the Examiner's objection to the claims be removed.

In view of the above, it is believed that the application is now in condition for allowance, and early action to that end is respectfully requested.

Respectfully Submitted,



James L. Brown, #48,576
Swanson & Bratschun, LLC
1745 Shea Center Drive, Suite 330
Highlands Ranch, Colorado 80129
303.268.0066
303.268.0065 (FAX)

S:\CLIENT FOLDERS\SIM\SIM 07\D1\SIM07D1OARESP03.DOC